

THIS DECLARATION OF NON-EXCLUSIVE RIGHTS OF CROSS-ACCESS USE

This Declaration is made this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ by \_\_\_\_\_, “Declarant.”

WHEREAS, Declarant is the owner of certain real property situate in the Town of Blacksburg, Montgomery County, Virginia, known as \_\_\_\_\_ having acquired the Property by deed recorded in Deed Book \_\_\_\_\_, at page \_\_\_\_\_, among the land records of Montgomery County, Virginia; and

WHEREAS, Declarant is also the owner and proprietor of the adjacent lot or parcel, situate in the Town of Blacksburg, Montgomery County, Virginia, known as \_\_\_\_\_ having acquired the Property by deed recorded in Deed Book \_\_\_\_\_, at page \_\_\_\_\_, among the land records of Montgomery County, Virginia; and

WHEREAS, Declarant is seeking approval by the Town of Blacksburg of a site plan application # \_\_\_\_\_, to establish the \_\_\_\_\_ use of parcel \_\_\_\_\_ and, in order to satisfy certain zoning requirements, must establish shared parking and mutual ingress and egress rights between the said first parcel and adjacent second parcel; and

WHEREAS, Declarant acknowledges and declares, for itself and its successors and assigns, that the creation and establishment of such shared parking and mutual ingress and egress rights is reasonably necessary to the use and enjoyment of Parcel \_\_\_\_\_; and

WHEREAS, Declarant intends to construct parking areas on the said Parcel \_\_\_\_\_ and travelways for ingress and egress upon both parcels to connect said parcels to each

other and to permit ingress and egress from each to the other and to and from a nearby street named \_\_\_\_\_; and

WHEREAS, Declarant intends to obtain an ingress and egress easement for the said parcels over and across adjoining property owned by others to provide such ingress and egress to and from \_\_\_\_\_; and

WHEREAS, the ingress and egress easement to be established upon the said parcels is depicted and described on the attached plat prepared by \_\_\_\_\_, labeled, “ \_\_\_\_\_”, dated \_\_\_\_\_;

NOW THEREFORE, for and in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declarant, for itself and its successors and assigns and their tenants, occupants, guests, visitors and invites, does hereby create and establish, for the mutual benefit of both of the said parcels and for the reasonably necessary use and enjoyment of Parcel \_\_\_\_ reciprocal and non-exclusive rights of use and enjoyment of all ingress and egress easements as shown on the Plant and any and all travelways or parking areas now existing or hereafter installed or constructed upon either of the said parcels or upon any ingress/egress easement acquired or established upon any adjoining property for access to and from \_\_\_\_\_ (street).

The Declarant specifically intends by the creation of the foregoing rights of ingress and egress and parking that, in the event of a severance in the unity of title of the said parcels, such that the title to the said parcels is no longer held by the identical person or persons, the foregoing rights shall, upon such severance, be considered as created and granted as easements for the use and benefit of the separate parcels.

The foregoing rights shall be subject to the right of the Declarant and its successors and assigns to exercise reasonable regulation and control of the use of the travelways and parking areas, provided that access to a public road shall be maintained at all times.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be signed pursuant to due and proper authority as of the date first set forth above.

(DECLARANT)

a \_\_\_\_\_

by: \_\_\_\_\_

Name:

Title:

COMMONWEALTH OF VIRGINIA  
COUNTY OF MONTGOMERY, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that \_\_\_\_\_, whose name is signed to the foregoing Deed, appeared before me and personally acknowledged the same in my jurisdiction.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

My commission expires:

\_\_\_\_\_  
Notary Public